

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THOMAS M. KELLEY,
Plaintiff,

v.

Civil Action No. 05-10596-NMG

TOWN OF PLYMOUTH, et al
Defendants.

**ASSENTED TO MOTION TO EXTEND TIME
TO RESPOND TO DEFENDANTS' MOTION TO COMPEL**

The Plaintiff, Thomas M. Kelley, respectfully moves this Court to enlarge the time to respond to the Defendants' Motion to Compel the Plaintiff to Furnish Records, Information and Testimony Concerning an Executive Session Meeting of the Town of Plymouth Retirement Board. The Plaintiff requests that this Court allows him until September 29, 2006, to respond to the Defendants' Motion to Compel.

As grounds for his motion, the Plaintiff states as follows:

1. Plaintiff's Counsel and Co-Counsel need additional time in order to meet and draft their opposition to said Motion to Compel and have not been able to do so as a result of their court schedules.

2. In addition, the Plaintiff had previously scheduled and subpoenaed Edward Quinn, a former Deputy Inspector General for Investigations and Daniel O'Neil, an Assistant Deputy Inspector General to take their depositions. The Attorney General's office filed a Motion to Enlarge Time to Object to Subpoenas and Stay the Depositions. As a result, Plaintiff's Counsel and Co-Counsel have had to spend additional available time on this aspect of the case.

3. On September 11, 2006, Attorney Joseph Gallitano telephoned counsel for the Defendants, Attorney Jeremy Silverfine, requesting his assent to this Motion.

Attorney Silverfine has assented to this Motion.

For the foregoing reasons the Plaintiff respectfully requests that the Court allow this Motion to enlarge the time to respond to the Defendants' Motion to Compel the Plaintiff to Furnish Records, Information and Testimony Concerning an Executive Session Meeting of the Town of Plymouth Retirement Board up to and including September 29, 2006.

Respectfully submitted,

Thomas M. Kelley, Plaintiff,
by his attorneys,

/s/ Joseph R. Gallitano
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Dated: September 12, 2006

Assented to:

/s/ Jeremy Silverfine
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